

AMENDED IN ASSEMBLY AUGUST 24, 2006

AMENDED IN ASSEMBLY AUGUST 7, 2006

AMENDED IN ASSEMBLY JUNE 21, 2006

AMENDED IN SENATE MAY 17, 2006

**SENATE BILL**

**No. 1589**

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**Introduced by Senator Romero**

February 24, 2006

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An act to add Section 1756.5 to the Welfare and Institutions Code, relating to the Division of Juvenile Justice.

LEGISLATIVE COUNSEL'S DIGEST

SB 1589, as amended, Romero. Division of Juvenile Justice: specialized programs.

The Division of Juvenile Justice is vested with all the powers, functions, duties, responsibilities, obligations, liabilities, and jurisdiction of the former Youth Authority. The Division of Juvenile Justice consists of the Division of Juvenile Facilities, the Division of Juvenile Programs, and the Division of Juvenile Parole Operations under the Chief Deputy of Juvenile Justice, each headed by a chief who is appointed by the Governor and subject to Senate confirmation.

This bill would require the Division of Juvenile Justice to explore options to provide specialized programs outside of division facilities for ~~high-risk or high-need~~ *female* juvenile offenders, taking into account availability and specified criterion, and for female offenders *and protection of the public*. The bill would also require the division to ~~transfer all female offenders out of division facilities as expeditiously as possible~~ *provide programs either in division facilities or in secure facilities operated under the supervision of the division, as specified*.

The bill would further require the division to ensure that the requirements of the division's Safety and Welfare Remedial Plan, *any subsequent remedial plan, or any subsequent legislative plan* are met by outside contracting entities, if any, and would also require legislative approval for the transfer of the Ventura Youth Correctional Facility to the Division of Adult Institutions, if contemplated.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) The Legislature believes that the Division of Juvenile  
4 Justice ~~cannot~~ *shall* provide female wards with the necessary  
5 programs and training to rehabilitate the majority of those female  
6 wards. ~~Further, the maintenance of the Ventura Youth~~  
7 ~~Correctional Facility as a female institution deprives the division~~  
8 ~~of needed program capacity. Therefore, it is the intent of the~~  
9 ~~female wards. Therefore, it is the intent of the~~ Legislature that the  
10 division ~~seek~~ *seeks* to enter into contracts to place female wards  
11 with providers outside of division facilities.

12 (b) If governmental entities can provide gender-specific  
13 programs that are equal to programs that can be provided by  
14 qualified private parties, it is further the intent of the Legislature  
15 that preference be given to placing those females with  
16 governmental entities.

17 SEC. 2. Section 1756.5 is added to the Welfare and  
18 Institutions Code, to read:

19 1756.5. (a) The Division of Juvenile Justice shall explore  
20 options to provide specialized programs outside of division  
21 facilities for ~~high risk or high need female~~ offenders, if those  
22 programs are available *and consistent with the protection of the*  
23 *public*. Specialized programs for these offenders shall take into  
24 account commitment offenses, delinquency history, age, gender,  
25 medical and mental health condition, risk levels, and any other  
26 commitment criteria.

27 (b) The Division of Juvenile Justice may also consider  
28 changes with respect to eligibility, age, jurisdiction, or length of

1 confinement in order to ensure quality programs within division  
2 facilities.

3 (c) (1) Given the small number of female offenders and their  
4 specialized needs, the Division of Juvenile Justice shall explore  
5 options to provide programs for female offenders ~~outside of~~  
6 ~~division facilities~~; *in either division facilities or secure facilities*  
7 *outside of division facilities operated under the supervision of the*  
8 *Division of Juvenile Justice, if providing programs in those*  
9 *facilities is consistent with the protection of the public.* ~~The~~  
10 ~~division shall transfer all female offenders out of division~~  
11 ~~facilities as expediently as possible.~~ *The division shall transfer*  
12 *female offenders into those facilities as expediently as possible.*

13 (2) If the Division of Juvenile Justice contracts with outside  
14 entities to provide services to female wards *as authorized in*  
15 *paragraph (1)*, the division shall ensure that those contracting  
16 entities will meet the requirements of the division's Safety and  
17 Welfare Remedial Plan, dated July 10, 2006, ~~or any subsequently~~  
18 ~~agreed to remedial plan~~, particularly the requirement that females  
19 receive gender-specific services equal to those provided to males  
20 under the rehabilitative model, *any subsequently agreed to*  
21 *remedial plan, or any plan subsequently authorized by the*  
22 *Legislature.*

23 (3) If the Division of Juvenile Justice wishes to transfer  
24 control of the Ventura Youth Correctional Facility to the  
25 Division of Adult Institutions, the Division of Juvenile Justice  
26 shall seek the approval of the Legislature.